

## **DRAFT**

### **Weare Conservation Commission**

Minutes of October 8, 2008

**Members in attendance:** Andy Fulton (Chair), George Malette, Steve Najjar, Pat Myers.

**Guests:** Paul Marsh & Jon Dowst (Weare CIP Committee), Jim Spring (Weare homeowner), Roger Rodewald (representing Maria Beasley), Mike Duhaime (observing), Barbara Beers (JSRHS teacher, observing), .

Andy called the meeting to order at 7:15 pm, and asked the CIP Committee members Paul Marsh and Jon Doust to begin.

#### **CIP Committee:**

Paul Marsh took the floor and asked the Commission if there were any large expenditures anticipated that might be dealt with using the Capital Improvement Plan concept. These items would be at least \$10,000 and anticipated within 10 years. Andy explained that our big budget items are land purchases which by nature don't lend themselves to the CIP approach. There was a brief discussion after which Paul thanked the Commission and stepped down.

#### **Roger Rodewald:**

Mr. Rodewald is representing Maria Beasley in presenting an application for a Minimum Impact Expedited Wetlands Permit needed to build a perched beach on her property on Horace Lake. Andy pointed out that Mr. Rodewald and this application were not listed on the agenda and that the application packets were not with our other meeting materials. After some confusion the application packets were located in the Conservation Room and the Commission was able to continue the presentation. Mr. Rodewald stated that at a previous WCC meeting he had been advised of the need for ZBA approval for work within the town's 25' wetland no disturb buffer. They have since gotten ZBA approval. They have also received DES Shoreland Protection approval for the project (#2008-01294). The project also requires Wetlands Bureau approval. Discussion revealed that the project would correct pre-existing run off problems on the property. After examining the photos contained in the application packets, Andy made note of stumps near the water's edge that likely indicate a Shoreland Protection violation by a previous property owner. Steve questioned whether some areas of distinct vegetation apparent in the photos might indicate wetland areas that were not delineated on the plan. Pat asked whether the large rocks or boulders that are to be installed at the water's edge might not create an erosion problem on another part of the lake shore by redirecting the force of boat wakes. George made the motion that Andy sign the application. Pat 2nd the motion. All members voted in favor.

#### **Jim Spring - 49 Woodfern Road:**

Mr. Spring came to present early stage plans for his home on Lake Horace. They have lived in their home for 30 years and now are planning to remove the old structure and build a new home in the same spot. The new home will be smaller than the original and 12 feet farther from the water and yet all within the original foot print of the existing house. After some questions to differentiate between this shoreland activity and that occurring at #68 Woodfern (see below) the Commission could see no issues with this

project. Andy suggested some appropriate shoreland plantings between the grassed area and the water to reduce any run off and erosion into the lake.

**Planning Board Items:**

1) **High Rock-Daniel's Lake wetlands restoration plan:** DES has approved a restoration plan (2008-00383) submitted by High Rock. However the Conservation Commission must also give approval before High Rock can move forward with any work. In keeping with past practice, the Commission did not review this plan because no representative was in attendance. Andy stated that he would remind Town Building Inspector/ Code Enforcement Officer, Chip Meany that no work can be done without Conservation Commission approval of the restoration plan. He said he would also ask the Planning Board to direct High Rock to present the restoration plan at the November Conservation Commission meeting.

**NH DES, DRED Items:**

1) **#68 Woodfern Road - potential Shoreland violation:** The commission has received a letter from DES dated September 30, 2008 informing the Commission that they are investigating a potential Shoreland Protection Act violation at #68 Woodfern Road on Lake Horace. Andy stated that Tom Carr and Chip Meany had been to the property after receiving complaints.

2) WCC received a September 30, 2008 DES memo referring to new guidance materials entitled ***New Hampshire Guidelines for Coordinated Lake Management and Shoreland Protection Plans.***

3) WCC received a letter from NHDRED dated September 17, 2008 announcing applications are now available for **Land and Water Conservation Fund grants**. The application deadline is December 2008.

**Minutes of the September 10, 2008** were reviewed and no corrections/changes were made. Steve made the motion to accept the minutes as written. George 2<sup>nd</sup>. All voted in favor.

**Other Items Reviewed/Discussed:**

1) Annual Monitoring reminder received from Steve Walker of **NH OSP ?** referring to the town's LCIP properties, the Kingsbury easement and the Alex property on Ferrin Pond. Andy was uncertain whether the monitoring forms had been received earlier in the year. Steve stated that he would monitor the Alex property. Tom Carr had been doing the Kingsbury CE but it was unclear whether he wanted to continue that monitoring. Steve asked whether the monitoring forms were on the State Office of Planning website.

2) A letter from the NHACC notifying town commissions of amendments to RSA 36-A governing Conservation Commission activities. The rule now clearly states that Commissions may expend funds to a nonprofit organization without receiving an interest in land in return. Also, the rule now states that a Conservation Commission may expend funds for an interest in land within another town.

3) Steve told the Commission that he had received and signed renewal paperwork for the Tree Farm status of the Town Forests. He sent it in to the office of County Forester Jon Knute.

- 4) Felch Farm Town Forest must be surveyed out from the area being used for the town's transfer station and sheds.
- 5) Steve reported no major changes in the Hawkes / Wilson project. Things continue to move slowly forward.
- 6) Proposed 2009 budget figures are due before the November WCC meeting. In light of the short time, Steve made a motion to submit last year's proposed budget again for 2009. George 2nd the motion. All voted in favor.
- 7) Andy asked if any other WCC members would be interested in joining him to attend the Parks and Recreation Committee's next meeting. He has asked the Committee to be on their agenda to discuss access to the Woods Family Forest.
- 8) Mountain Road / PSNH update - Andy reported that the Board of Selectmen decided that PSNH should not attempt to repair the stone culvert on the phantom roadway parallel to Mountain Road and instead install a modern culvert adjacent to the old one. The BOS also felt the so called Tri-town letter to DES was now too dated to be considered. Finally the BOS asked town manager Fred Ventresco to set up a meeting with PSNH's Steve Plante.
- 9) Recent budget expenditures: Union Leader for ads run, NHACC annual dues, photocopier use.
- 10) The Southern New Hampshire Planning Commission have announced a new Natural Resources Advisory Committee with an initial meeting scheduled for October 29, 2008 in Manchester. Andy stated that he will try to attend this meeting and George offered to be the back-up representative for future meetings.
- 11) Andy reports that Paul Doshier has suggested that it may be time for the Conservation Commission to host another presentation of the program "The Dollars and Cents of Open Space".
- 12) Natural Resource Inventory update: The Conservation Lands map is being constructed. CC members have reviewed the draft and contributed a large list of changes and corrections to be made. These corrections will require considerable research to pin down the correct details. Andy and Steve asked Pat to find out what amount of this research can be done by Kane and Ingrahm.
- 13) Discussion of the Beverly Townes subdivision open space CE: Members discussed the conservation easement that was approved by the Planning Board at their June 26, 2008. Pat voiced dismay at the number of problems contained in this easement as written. Andy will make note to the Planning Board that the Conservation Commission cannot support this easement.

With no further business to discuss George made the motion to adjourn the meeting at 11:29 pm. Pat provided the 2nd. All voted in favor.

These minutes are respectfully submitted by,

Pat Myers - WCC Secretary

Cc Town Clerk, BOS, WCC files